

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ATLANTIC CITY ELECTRIC COMPANY

Employer

and

Case 04-RC-221319

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, LOCAL 210

Petitioner

ORDER

The Employer's request for review of the Acting Regional Director's Decision and Direction of Election is granted with respect to whether System Operators possess the authority to assign employees to places and responsibly direct employees using independent judgment.<sup>1</sup> The request for review is denied in all other respects.<sup>2</sup>

LAUREN McFERRAN, MEMBER

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., December 13, 2018.

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<sup>1</sup> Chairman Ring took no part in the consideration of this case.

<sup>2</sup> Member McFerran joins her colleagues only insofar as they grant review with respect to whether System Operators possess the authority to assign employees to places using independent judgment, given that the Board presently is considering a similar issue in another case, *Entergy Mississippi*, 15-CA-018136, on remand from the United States Court of Appeals for the Fifth Circuit. Unlike her colleagues, she finds no substantial issue warranting review of the Acting Regional Director's determination regarding responsible direction and would deny review in that and all other respects.